

*THE ATTEMPT TO SUBJUGATE A PEOPLE STRIVING FOR FREEDOM,
NOT THE AMERICAN SOLDIER, RESPONSIBLE FOR CRU-
ELTIES IN THE PHILIPPINE ISLANDS.*

SPEECH

OF

HON. GEORGE F. HOAR,

OF MASSACHUSETTS,

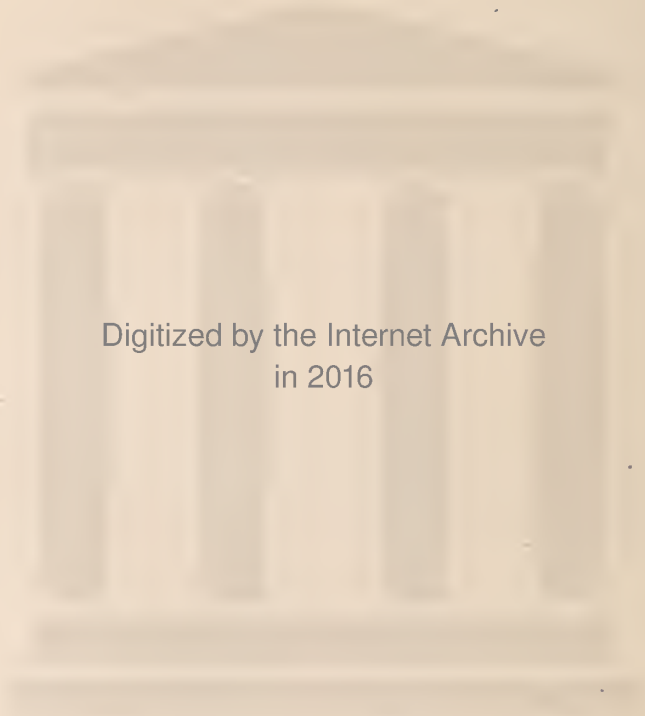
IN THE

SENATE OF THE UNITED STATES,

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SPEECH
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HON. GEORGE F. HOAR.

The Senate, as in Committee of the Whole, having under consideration the bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes--

Mr. HOAR said:

Mr. PRESIDENT: I have something to say upon the pending bill. I will say it as briefly and as compactly as I may. We have to deal with a territory 10,000 miles away, 1,200 miles in extent, containing 10,000,000 people. A majority of the Senate think that people are under the American flag and lawfully subject to our authority. We are not at war with them or with anybody. The country is in a condition of profound peace as well as of unexampled prosperity. The world is in profound peace, except in one quarter, in South Africa, where a handful of republicans are fighting for their independence, and have been doing better fighting than has been done on the face of the earth since Thermopylæ, or certainly since Bannockburn.

Yet the Filipinos have a right to call it war. They claim to be a people and to be fighting for their rights as a people. The Senator from Ohio [Mr. FORAKER] admits that there is a people there, although he says they are not one people, but there are several. But we can not be at war under the Constitution without an act of Congress.

We are not at war. We made peace with Spain on the 14th day of February, 1899. Congress has never declared war with the people of the Philippine Islands. The President has never asserted nor usurped the power to do it. We are only doing on a large scale exactly what we have done at home within a few years past, where the military forces of the United States have been called out to suppress a riot or a tumult or a lawless assembly, too strong for the local authorities. You have the same right to administer the water torture, or to hang men by the thumbs, to extort confession, in one case as in the other. You have the same right to do it in Cleveland or Pittsburg or at Colorado Springs as you have to do it within the Philippine Islands. I have the same right as an American citizen or an American Senator to discuss the conduct of any military officer in the Philippine Islands that I have to discuss the conduct of a marshal or a constable or a captain in Pittsburg or in Cleveland if there were a labor riot there.

That duty I mean to perform to the best of my ability, fearlessly as becomes an American citizen, and honestly as becomes an American Senator.

But I have an anterior duty and an anterior right to talk about the action of the American Senate, both in the past and in the present, for which, as no man will deny, I have my full share of personal responsibility.

The Senator from Ohio, in his very brilliant and forcible speech,

which I heard with delight and instruction, said that we were bound to restore order in the Philippine Islands, and we can not leave them till that should be done. He said we were bound to keep the faith we pledged to Spain in the treaty, and that we were bound, before we left, to see that secured. He said we were bound, especially, to look out for the safety of the Filipinos who had been our friends, and that we could not, in honor, depart until that should be made secure.

All that, Mr. President, is true. So far as I know, no man has doubted it. But these things are not what we are fighting for; not one of them. There never was a time when, if we had declared that we only were there to keep faith with Spain, and that we only were there to restore order, that we were only there to see that no friend of ours should suffer at the hands of any enemy of ours, that the war would not have ended in that moment.

You are fighting for sovereignty. You are fighting for the principle of eternal dominion over that people, and that is the only question in issue in the conflict. We said in the case of Cuba that she had a right to be free and independent. We affirmed in the Teller resolution, I think without a negative voice, that we would not invade that right and would not meddle with her territory or anything that belonged to her. That declaration was a declaration of peace as well as of righteousness; and we made the treaty, so far as concerned Cuba, and conducted the war and have conducted ourselves ever since on that theory—that we had no right to interfere with her independence; that we had no right to her territory or to anything that was Cuba's. So we only demanded in the treaty that Spain should hereafter let her alone. If you had done to Cuba as you have done to the Philippine Islands, who had exactly the same right, you would be at this moment, in Cuba, just where Spain was when she excited the indignation of the civilized world and we compelled her to let go. And if you had done in the Philippines as you did in Cuba, you would be to-day or would soon be in those islands as you are in Cuba.

But you made a totally different declaration about the Philippine Islands. You undertook in the treaty to acquire sovereignty over her for yourself, which that people denied. You declared not only in the treaty, but in many public utterances in this Chamber and elsewhere, that you had a right to buy sovereignty with money, or to treat it as the spoils of war or the booty of battle. The moment you made that declaration the Filipino people gave you notice that they treated it as a declaration of war. So your generals reported, and so Aguinaldo expressly declared. The President sent out an order to take forcible possession, by military power, of those islands. General Otis tried to suppress it, but it leaked out at Iloilo through General Miller. General Otis tried to suppress it and substitute that they should have all the rights of the most favored provinces. He stated that he did that because he knew the proclamation would bring on war. And the next day Aguinaldo covered the walls of Manila with a proclamation stating what President McKinley had done, and saying that if that were persisted in he and his people would fight, and General MacArthur testified that Aguinaldo represented the entire people. So you deliberately made up the issue for a fight for dominion on one side and a fight for liberty on the other.

Then when you had ratified the treaty you voted down the res-

olution in the Senate, known as the Bacon resolution, declaring the right of that people to independence, and you passed the McEnery resolution, which declared that you meant to dispose of those islands as should be for the interest of the United States. That was the origin of the war, if it be war. That is what the war is all about, if it be war; and it is idle for my brilliant and ingenious friend from Ohio to undertake to divert this issue to a contest on our part to enable us to keep faith with our friends among the Filipinos, or to restore order there, or to carry out the provisions of the treaty with Spain.

Now, Mr. President, when you determined to resort to force for that purpose, you took upon yourself every natural consequence of that condition. The natural result of a conflict of arms between a people coming out of subjection and a highly civilized people—one weak and the other strong, with all the powers and resources of civilization—is inevitably, as everybody knows, that there will be cruelty on one side and retaliation by cruelty on the other. You knew it even before it happened, as well as you know it now that it has happened; and the responsibility is yours.

If, in a conflict between a people fighting for independence and liberty, being a weak people, and a people striving to deprive them of their independence and liberty, being a strong people, always, if the nature of man remains unchanged, the war is converted in the end into a conflict in which bushwhacking, treachery, and cruelty have to be encountered, the responsibility is with the men who made the war. Conflicts between white races and brown races or red races or black races, between superior races and inferior races, are always cruel on both sides, and the men who decree with full notice that such conflict shall take place are the men on whom the responsibility rests. When Aguinaldo said he did not desire the conflict to go on, and that it went on against his wish, he was told by our general that he would not parley with him without total submission. My friend from Wisconsin declared in the Senate that we would have no talk with men with arms in their hands, whether we were right or wrong. The responsibility of everything that has happened since, which he must have foreseen if he knew anything of history and human nature, rests upon him and the men who acted with him.

We can not get rid of this one fact, we can not escape it, and we can not flinch from it. You chose war instead of peace. You chose force instead of conciliation, with full notice that everything that has happened since would happen as a consequence of your decision. Had you made a declaration to Aguinaldo that you would respect their title to independence, and that all you desired was order and to fulfill the treaty and to protect your friends, you would have disarmed that people in a moment. I believe there never has been a time since when a like declaration made by this Chamber alone, but certainly made by this Chamber and the other House, with the approval of the President, would not have ended this conflict and prevented all these horrors.

Instead of that gentlemen talked of the wealth of the Philippine Islands, and about the advantage to our trade. They sought to dazzle our eyes with nuggets of other men's gold. Senators declared in the Senate Chamber and on the hustings that the flag never shall be hauled down in the Philippine Islands, and those of you who think otherwise keep silent and enter no disclaimer. The Senator from Ohio says our policy has not been in the dark, but it has been a policy published to the world. Has it? Has it?

I want to ask, What was it which created the war, which keeps it up, and which created and keeps up the hatred, and will make war break out again and again for centuries to come, unless human nature be changed or be different in their bosoms from what it is in ours? It is because our policy has not been published to the world. It is because you keep a padlock on your lips.

This debate for the last three years has contained many audacities. One thing, however, no Senator has been audacious enough to affirm, and that is that if he were a Filipino, as he is an American, he would not do exactly, saving only acts of cruelty, as the Filipino has done.

I find myself beset with one difficulty whenever I undertake to debate this question. I am to discuss and denounce what seems to me one of the most foolish and wicked chapters in history. Yet I am compelled to admit that the men who are responsible for it are neither foolish nor wicked. On the contrary, there are no men on the face of the earth with whom on nearly all other subjects I am in general more in accord, to whose sound judgment or practical sagacity I am more willing to defer, or to whose patriotism or humanity I am more willing to commit the honor or the fate of the Republic.

It may be that it is presumption to act on my own judgment against that of my valued and beloved political friends. But we do not settle questions of righteousness or justice on any man's authority. Still less do we settle them by a show of hands. Each man is responsible only to his own conscience, which is the only authority he must obey. Besides, Mr. President, I have on my side in this great debate the fathers of the Republic, the statesmen who adorned its first century, the founders of the Republican party, every one of whom declared and lived by and died by the doctrine you are now repudiating. I have also your own authority, your own declaration, made only three years ago, at the beginning of the Spanish war. When you declared that Cuba of right—of right—ought to be a free and independent State, and that the United States would not acquire her territory as the result of the war with Spain, you settled as a matter of duty and of justice this whole Philippine question.

I have, however, at least, to congratulate my friends who differ from me on an increased sobriety in dealing with this matter.

We are not flourishing nuggets of gold in the Senate just now. The devil imperialism is not promising us all the kingdoms of this world and the glory thereof, if we will fall down and worship him. You have just hauled down the American flag in China where it once floated, and you have just hauled it down day before yesterday in Cuba where it has floated for three years.

For the words, "interests of the United States," which the McEnery resolution declared were to determine our actions in governing these islands, you substitute in this bill the declaration that "the rights acquired in the Philippine Islands under the treaty with Spain are to be administered for the benefit of the inhabitants of those islands."

SEC. 10. That all the property and rights which may have been acquired in the Philippine Islands by the United States under the treaty of peace with Spain, 1898, are hereby placed under the control of the government of the Philippine Islands, to be administered for the benefit of inhabitants of the islands.

SEC. 7. There are to be municipal and provincial governments as far and as fast as the governments are capable, fit, and ready for the same, with popular representative government.

The share to which you propose to admit these people in your scheme of government, is an admission that a large number of them are fit for self-government. You propose for them—to take effect in the near future—a constitution, not very different from that of Canada, where the Crown of England appoints the Governor-General, and the Governor-General appoints the senate, and there is a veto on every provincial law by the Governor-General, and a veto on every law of the Canadian congress, not only by the Governor-General, but by the Government at home.

The Senator from New Hampshire called a witness the other day to the effect that every Filipino would take a bribe. Sir Robert Walpole said that of England. I acquit the majority of the Senate and the committee who report this bill from believing the charge made by my honorable friend from New Hampshire. They affirm that there are many Filipinos who are sincerely our friends. They admit, if I understand them, that there are in those islands many citizens accomplished and well educated, lawyers and merchants, conducting large affairs in trade, and they themselves propose to commit to these people at once, as soon as may be, large powers of government, retaining for us little more than the power of a veto.

What you have been fighting for all this time as your right, if you expect to enact this bill into law and to carry it out in practice, is to substitute a constitution of your making for one of their making; to have a dependency, which is what you want, instead of a republic, which is what they want; to have fitness for the elective franchise determined by an authority which has its source 10,000 miles away, instead of with the people at home; and to deny them independence, even if they are fit for it, so long as you please, without any regard to their desire.

This investigation, I suppose, is yet upon the threshold. Your chief witnesses, so far, have been soldiers and governors who are committed to policies of subjugation. The investigation has been conducted by a committee of that way of thinking.

Yet we have got already some pregnant admissions, and some remarkable facts have already come to light. Governor Taft, if I understood him, concedes that nothing so far indicates that the existing policy has been good for the United States. It is only the benefit of the people of the Philippine Islands, in saving them from anarchy, or from foreign nations, in establishing schools for them, that vindicates what you have done so far. What you have done so far has been to get some few thousand children actually at school in the whole Philippine dominion. To get this result, you have certainly slain many times that number of parents.

It would be without avail to repeat in the Senate to-day what was said at the time of the Spanish treaty, and afterwards when you determined to reduce the Philippine people by force to submission.

What your fathers said when they founded the Republic; the declarations of the great leaders of every generation; our century of glorious history, were appealed to in vain. Their lessons fell upon the ears of men dazzled by military glory and delirious with the lust of conquest. I will not repeat them now. My desire to-day is simply to call attention to the practical working of the two doctrines—the doctrine of buying sovereignty or conquering it in battle, and the doctrine of the Declaration of Independence. For the last three years you have put one of them in

force in Cuba and the other in the Philippine Islands. I ask you to think soberly which method, on the whole, you like better. I ask you to compare the cost of war with the cost of peace, of justice with that of injustice, the cost of empire with the cost of republican liberty, the cost of the way of America and the way of Europe, of the doctrine of the Declaration of Independence with the doctrine of the Holy Alliance. You have tried both, I hope, to your heart's content. But before I do that I want to call attention to one important fact in our history not generally known. It is very interesting in its connection with this debate.

John Quincy Adams, as everybody knows, was the father of what we call the Monroe doctrine. He secured its adoption through the weight of his great influence, by a hesitating President, and a reluctant Cabinet. It is not so well known that he placed the Monroe doctrine solely upon the doctrine that just governments must rest upon the consent of the governed. That, he declared to be its only foundation, and that so founded it rested upon the eternal principle of righteousness and justice.

A thorough examination has lately been made by an accomplished historical scholar, Mr. Worthington C. Ford, aided by Mr. Charles Francis Adams, grandson of John Quincy Adams, of the unpublished Adams manuscripts at Quincy, the archives of the Department of State, and the papers of President Monroe, lately published by Congress.

I can relate this story in a moment. I think it an important contribution to this debate.

Mr. President, I discussed some time ago, and more than once, this attempt to buy sovereignty with money of a dispossessed tyrant, or to get it as booty or spoils of battle. I showed that it is in contradiction of the great American doctrine that just governments rest only on the consent of the governed—in flat contradiction of the doctrine on which this Government is founded and of the uniform tradition of all our statesmen from 1776 to the adoption of the Spanish treaty. I do not mean to repeat that argument now. It was met by the affirmation that Jefferson disregarded it when we bought Louisiana, and that John Quincy Adams disregarded it when we acquired Florida, and that Abraham Lincoln disregarded it when he put down the rebellion, and that Charles Sumner disregarded it when he urged the purchase of Alaska.

It was never denied that we could acquire territory and that we could govern it after it was acquired. The doctrine was that if the territory be inhabited by that vital and living being we call a people, as distinct from a few scattered and unorganized inhabitants, neither controlling it nor governing themselves, that people have a right to govern themselves and to determine their own destiny after their own fashion. This is the American exposition of the law of nations. Thomas Jefferson never departed from it. He regarded the Louisiana Territory as something not worth taking. He declared that it would not be inhabited for a thousand years. He only wanted New Orleans. The rest of the Territory was forced upon him by Napoleon. There was no people, in the sense of the law of nations, either in New Orleans or in the Louisiana Territory. There was no people there that could make a government or a treaty.

Abraham Lincoln put down the rebellion, because by his and our interpretation of the Constitution we were one people and not two—to which doctrine the Southern people had consented

when they adopted the Constitution; and besides, if you had counted the whole people, black and white, there was never a majority on the side of secession in any single Southern State. Sumner again and again declared that there was nothing in Alaska which could be called a people, and that if there were the United States would never be willing to acquire them without their consent; and that we would never take Canada, if we could get it, except with the full approbation of her people. If my friends of the press or in the Senate who still stick to this ten hundred times refuted fallacy are not content, they will never be persuaded, though Thomas Jefferson and John Quincy Adams and Abraham Lincoln and Charles Sumner rise from the dead.

I do not wish to detain the Senate by renewing that debate. But I wish to cite a chapter of the history of this country, which shows that your present policy is in contradiction of the Monroe doctrine, as it is in contradiction of the Declaration of Independence. It is well known that John Quincy Adams was the author of the Monroe doctrine. He carried his point over the opposition of the Cabinet and reluctance on the part of the President.

When Canning proposed that the United States join England in asserting that the Holy Alliance should not reduce any South American country under the dominion of Spain, Mr. Adams said that we would not join England, although she asked us to do it. He said we were not to be a little cockboat in the wake of the British man-of-war. He counseled the President, and his advice was taken, that this country should make its declaration to Russia, the head and strength of the Holy Alliance, and he put that declaration expressly and solely on the doctrine of the consent of the governed, affirmed in our Declaration of Independence. He declared that doctrine was a doctrine of absolute right and righteousness.

It will take but a moment to tell the story as it appears in the archives in our Department of State, in the Monroe papers lately published, in Adams's Diary, and in the Adams manuscripts at Quincy, which have been made public within a few days.

In August, September, and October, 1823, there came to the State Department of Washington from Mr. Rush dispatches containing letters from Mr. Canning. These letters suggested designs of the Holy Alliance against the independence of the South American colonies, and proposed cooperation between Great Britain and the United States against that alliance.

President Monroe asked the advice of Mr. Jefferson and Mr. Madison, and suggested that we should make it known that we should view an attack by the European powers upon the colonies of Spain as an attack upon ourselves. But in the meantime the Russian minister, Baron Tuvill, on the 16th of October, communicated to the Secretary of State a declaration of the Emperor of Russia that the political principles of that Power would not permit him to recognize the independence of the revolted colonies of Spain.

Mr. Adams saw and seized his opportunity. He gave this advice to President Monroe, as appears by his diary, on November 7, 1823:

I remarked that the communications recently received from the Russian minister, Baron Tuvill, afforded, as I thought, a very suitable and convenient opportunity for us to take our stand against the Holy Alliance, and at the same time decline the overtures of Great Britain. It would be more candid

and more dignified to avow our principles explicitly to Baron Tnyll than to go in as a cockboat in the wake of the British man-of-war. This idea was acquiesced in on all sides.

At the Cabinet meeting of November 15, 1823, the subject was again discussed.

Letters were read from Mr. Jefferson, who was for acceding to the pending proposal. Mr. Madison was less decisively pronounced, but thought the movement on the part of Great Britain impelled more by her interest than by a principle of general liberty. President Monroe was quite despondent.

Adams proceeds:

I soon found the source of the President's despondency with regard to South American affairs. Calhoun is perfectly moonstruck by the surrender of Cadiz, and says the Holy Allies, with 10,000 men, will restore all Mexico and all South America to the Spanish dominion. I did not deny that they might make a temporary impression for three, four, or five years, but I no more believe that the Holy Allies will restore the Spanish dominion upon the American continent than that Chimborazo will sink beneath the ocean. But, I added, if the South Americans were really in a state to be so easily subdued, it would be but a more forcible motive for us to beware of involving ourselves in their fate. I set this down as one of Calhoun's extravaganzas. He is for plunging into a war to prevent that which, if his opinion of it is correct, we are utterly unable to prevent. He is for embarking our lives and fortunes in a ship which he declares the very rats have abandoned. Calhoun reverts again to his idea of giving discretionary power to our minister to accede to all Canning's proposals, if necessary, but not otherwise. After much discussion, I said I thought we should bring the whole answer to Mr. Canning's proposals to a test of right and wrong. *Considering the South Americans as independent nations, they themselves, and no other nation, had the right to dispose of their condition. We have no right to dispose of them, either alone or in conjunction with other nations. Neither have any other nations the right of disposing of them without their consent. This principle will give us a clue to answer all Mr. Canning's questions with candor and confidence, and I am to draft a dispatch accordingly.* (Adams's Memoirs, p. 186.)

Before Mr. Adams prepared the draft, two more dispatches were received from Rush, dated the 2d and 10th of October, indicating a decided change in Canning's tone, and almost an indifference on his part to pursue his project of united action. Meantime, there came a new communication from Russia, which gave Adams his opportunity. He put his reply on the express and impregnable ground of the consent of the governed, as declared in our Declaration of Independence. On the 25th of November, he made, for the President's use, a draft of observations upon the communications recently received from the Russian minister. The paper begins as follows:

The Government of the United States of America is essentially republican. By their Constitution it is provided that "the United States shall guarantee to every State in this Union a republican form of government, and shall protect them from invasion."

The principles of this polity are: 1. That the institution of government to be lawful, must be pacific, that is, *founded upon the consent and by the agreement of those who are governed*; and 2, that each nation is exclusively the judge of the government best suited to itself, and that no other nation can justly interfere by force to impose a different government upon it. The first of the principles may be designated as the principle of liberty, the second as the principle of national independence; they are both principles of peace and of good will to men.

A necessary consequence of the second of these principles is that the United States recognize in other nations the right which they claim and exercise for themselves of establishing and modifying their own governments, according to their own judgments and views of their interests, not encroaching upon the rights of others. (Ford, p. 38.)

Mr. Adams states later in the same document:

In the general declarations that the allied monarchs will never compound and never will even treat with the revolution, and that their policy has only for its object by forcible interposition to guarantee the tranquillity of all the States of which the civilized world is composed, the President wishes to perceive the sentiments, the application of which is limited, and intended in their results to be limited to the affairs of Europe. (Ford, p. 40.)

Mr. Monroe and Mr. Calhoun hesitated in regard to the insertion of this paragraph in the answer to Russia, but neither of them, as appears from the full narrative in Mr. Adams's diary, objected to the doctrine. They thought it might be offensive to Russia. Accordingly Mr. Adams read the paper to Baron Tnyll, omitting that paragraph, but received a letter from the President a little later, yielding his objections and consenting to its retention.

Mr. Worthington C. Ford, in an interesting paper contained in the Proceedings of the Massachusetts Historical Society for January, 1902, narrates the whole story, and says in conclusion:

That the timidity of the President was awakened, that record shows; but the persistence of Adams and the very weighty arguments he advanced in its favor induced Monroe to yield, but not until it was too late for the purpose intended. (Ford, p. 40.)

Mr. Ford adds, after citing the Russian minister's communication:

This gave Adams his opening. If the Emperor set up to be the mouth-piece of Divine Providence it would be well to intimate that this country did not recognize the language spoken and had a destiny of its own, also under the guidance of Divine Providence. If Alexander could exploit his political principles, those of a brutal repressive policy, the United States could show that another system of government, remote and separate from European traditions and administration, could give rise to a new and more active political principle—the consent of the governed—between which and the Emperor there could not exist even a sentimental sympathy. (Ford, p. 15.)

So, Mr. President, if you have your own way, and keep on in the path you are treading, you have not only repealed the Declaration of Independence, but you have left for the Monroe doctrine only the principle of brutal selfishness. You have taken from that doctrine, which is the chief glory of this country, from the time of the treaty of peace in 1783 till the inauguration of Abraham Lincoln in 1861, its foundation in righteousness and freedom, and you found it only upon selfishness. You say not that it is right, but only that it is for our interest. If hereafter you go to war for it—if you have your way—it will not be for the glory of the liberator or for the principle on which the Republic is founded. You will only have Ancient Pistol's solace:

I shall suttler be unto the camp,
And profits will accrue.

John Quincy Adams lived to see the great doctrine he had been taught from his cradle, which he had drawn in with his mother's milk, derided and trampled under foot by a people drunk with conquest and dazzled by military glory. He lived to see the President take soldiers and not statesmen for his counselors. He lived to see slavery entrenched in every department of the Government—in the White House, in court, in Congress, in trade, and in the pulpit. But he never wavered nor faltered in his sublime faith. He faced the stormy and turbulent waves of the House of Representatives at eighty. He took for his motto: *Alteri Seculo*—a motto which his son inscribed at his burial place at Quincy.

But the new age came sooner even than the faith of John Quincy Adams had predicted. In less than thirteen years from his death, Abraham Lincoln, whom the people sent to the White House, had declared on his way thither the sublime doctrine of the consent of the governed to be that on which the Republic is founded, and for which, if need be, he was willing to be assassinated. I think, therefore, modestly I hope and humbly, that the men who differ from their political associates, and even from majorities, may find

something of consolation and something of hope in the company of John Quincy Adams and in the company of Abraham Lincoln.

When we ratified the treaty of Paris we committed ourselves to one experiment in Cuba and another in the Philippine Islands. We had said already that Cuba of right ought to be free and independent. So when in the treaty Spain abandoned her sovereignty the title of Cuba became at once complete. We were only to stay there to keep order until we could hand over Cuba to a government her people had chosen and established.

By the same treaty we bought the Philippine Islands for \$20,000,000 and declared and agreed that Congress shall dispose of them. So, according to those who held that treaty valid, it became the duty of the President to reduce them to submission, and of Congress to govern them.

Here the two doctrines are brought into sharp antagonism.

In Cuba, of right, just government, according to you, must rest on the consent of the governed. Her people are to "institute a new government, laying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness."

In the Philippine Islands a government is to be instituted by a power 10,000 miles away, to be in the beginning a despotism, established by military power.

It is to be a despotism where there is treason without an overt act and elections, if they have them, without political debate, and schools where they can not teach liberty. It is to be established by military power, and to be such, to use the language of the McEnery resolution, such as shall seem "for the interest of the United States."

You have given both doctrines a three years' trial. Three years is sometimes a very long time and sometimes a very short time in human affairs: I believe the whole life of the Savior, after He first made His divine mission known, lasted but three years. Three years has wrought a mighty change in Cuba, and it has wrought a mighty change in the Philippine Islands. We have had plenty of time to try both experiments.

President Roosevelt a day or two ago very truly and eloquently recited the story of what we had done for Cuba, and claimed, and surely he was right, that it was one of the chief glories of the Republic in all our glorious history. When he had finished the recital he said, "That is one deed consummated to-day; and now for the other." I do not believe that brave and honest man will content himself to match this glorious instance of self-denial and good faith, which has so stirred his enthusiasm, by putting against it the gift of \$200,000 from the Treasury to relieve suffering Martinique, a gift which, in proportion to our resources, is as if a man with \$60,000 had given a two-dollar bill. There can be but one other deed which his Administration can do which can match the glories of the liberation of Cuba, and that will be the liberation of the Philippine Islands.

Now, what has each cost you, and what has each profited you?

In stating this account of profit and loss I hardly know which to take up first, principles and honor or material interests—I should have known very well which to have taken up first down to three years ago—what you call the sentimental, the ideal, the historical on the right side of the column; the cost or the profit in honor or shame and in character and in principle and moral influence, in true national glory; or the practical side, the cost

in money and gain, in life and health, in wasted labor, in diminished national strength, or in prospects of trade and money getting.

I should naturally begin where our fathers used to begin. But somehow the things get so inextricably blended that we can not keep them separate. This world is so made that you can not keep honesty, and sound policy, and freedom, and material property, and good government, and the consent of the governed, apart. Men who undertake to make money by cheating pay for it by failure in business. If you try to keep order by military despotism you suffer from it by revolution and by barbarity in war. If a strong people try to govern a weak one against its will, the home government will get despotic, too. You can not maintain despotism in Asia and a republic in America. If you try to deprive even a savage or a barbarian of his just rights you can never do it without becoming a savage or a barbarian yourself.

Gentlemen talk about sentimentalities, about idealism. They like practical statesmanship better. But, Mr. President, this whole debate for the last four years has been a debate between two kinds of sentimentality. There has been practical statesmanship in plenty on both sides. Your side have carried their sentimentalities and ideals out in your practical statesmanship. The other side have tried and begged to be allowed to carry theirs out in practical statesmanship also. On one side have been these sentimentalities. They were the ideals of the fathers of the Revolutionary time, and from their day down till the day of Abraham Lincoln and Charles Sumner was over. The sentimentalities were that all men in political right were created equal; that governments derive their just powers from the consent of the governed, and are instituted to secure that equality; that every people—not every scattering neighborhood or settlement without organic life, not every portion of a people who may be temporarily discontented, but the political being that we call a people—has the right to institute a government for itself and to lay its foundation on such principles and organize its powers in such form as to it and not to any other people shall seem most likely to effect its safety and happiness. Now, a good deal of practical statesmanship has followed from these ideals and sentimentalities. They have builded forty-five States on firm foundations. They have covered South America with republics. They have kept despotism out of the Western Hemisphere. They have made the United States the freest, strongest, richest of the nations of the world. They have made the word republic a name to conjure by the round world over. By their virtue the American flag—beautiful as a flower to those who love it; terrible as a meteor to those who hate it—floats everywhere over peaceful seas, and is welcomed everywhere in friendly ports as the emblem of peaceful supremacy and sovereignty in the commerce of the world.

Has there been any practical statesmanship in our dealing with Cuba? You had precisely the same problem in the East and in the West. You knew all about conditions in Cuba. There has been no lack of counselors to whisper in the ear of the President and Senate and House the dishonorable counsel that we should hold on to Cuba, without regard to our pledges or our principles, and that the resolution of the Senator from Colorado [Mr. TELLER] was a great mistake. "Ye shall not surely die," said the serpent—

Squat like a toad, close at the ear of Eve.

I do not know how other men may feel, but I think that the statesmen who have had something to do with bringing Cuba into

the family of nations, when they look back on their career, that my friends who sit around me, when each comes to look back upon a career of honorable and brilliant public service, will count the share they had in that as among the brightest, the greenest, and the freshest laurels in their crown.

I do not think I could honestly repeat all the compliments which the Senator from Wisconsin is in the habit of paying to the Senator from Colorado. The Senator from Colorado has gone against my grain very often, especially when he voted for the Spanish treaty and when his vote defeated the Bacon resolution. But I doubt whether any man who has sat in this Chamber since Charles Sumner died, or whether all who sit here now put together, have done a more important single service to the country than he did in securing the passage of the resolution which pledged us to deal with Cuba according to the principles of the Declaration of Independence.

You also, my imperialistic friends, have had your ideals and your sentimentalities. One is that the flag shall never be hauled down where it has once floated. Another is that you will not talk or reason with a people with arms in their hands. Another is that sovereignty over an unwilling people may be bought with gold. And another is that sovereignty may be got by force of arms, as the booty of battle or the spoils of victory.

What has been the practical statesmanship which comes from your ideals and your sentimentalities? You have wasted six hundred millions of treasure. You have sacrificed nearly 10,000 American lives—the flower of our youth. You have devastated provinces. You have slain uncounted thousands of the people you desire to benefit. You have established reconcentration camps. Your generals are coming home from their harvest, bringing their sheaves with them, in the shape of other thousands of sick and wounded and insane to drag out miserable lives, wrecked in body and mind. You make the American flag in the eyes of a numerous people the emblem of sacrilege in Christian churches, and of the burning of human dwellings, and of the horror of the water torture. Your practical statesmanship, which disdains to take George Washington and Abraham Lincoln or the soldiers of the Revolution or of the civil war as models, has looked in some cases to Spain for your example. I believe—nay, I know—that in general our officers and soldiers are humane. But in some cases they have carried on your warfare with a mixture of American ingenuity and Castilian cruelty.

Your practical statesmanship has succeeded in converting a people who three years ago were ready to kiss the hem of the garment of the American and to welcome him as a liberator, who thronged after your men when they landed on those islands with benediction and gratitude, into sullen and irreconcilable enemies, possessed of a hatred which centuries can not eradicate.

The practical statesmanship of the Declaration of Independence and the Golden Rule would have cost nothing but a few kind words. They would have bought for you the great title of liberator and benefactor, which your fathers won for your country in the South American Republics and in Japan and which you have won in Cuba. They would have bought for you the undying gratitude of a great and free people and the undying glory which belongs to the name of liberator. That people would have felt for you as Japan felt for you when she declared last

summer that she owed everything to the United States of America.

What have your ideals cost you, and what have they bought for you?

1. For the Philippine Islands you have had to repeal the Declaration of Independence.

For Cuba you have had to reaffirm it and give it new luster.

2. For the Philippine Islands you have had to convert the Monroe doctrine into a doctrine of mere selfishness.

For Cuba you have acted on it and vindicated it.

3. In Cuba you have got the eternal gratitude of a free people. In the Philippine Islands you have got the hatred and sullen submission of a subjugated people.

4. From Cuba you have brought home nothing but glory.

From the Philippines you have brought home nothing of glory.

5. In Cuba no man thinks of counting the cost. The few soldiers who came home from Cuba wounded or sick carry about their wounds and their pale faces as if they were medals of honor. What soldier glories in a wound or an empty sleeve which he got in the Philippines?

6. The conflict in the Philippines has cost you \$600,000,000, thousands of American soldiers—the flower of your youth—the health and sanity of thousands more, and hundreds of thousands of Filipinos slain.

Another price we have paid as the result of your practical statesmanship. We have sold out the right, the old American right, to speak out the sympathy which is in our hearts for people who are desolate and oppressed everywhere on the face of the earth. Has there ever been a contest between power and the spirit of liberty, before that now going on in South Africa, when American Senators held their peace because they thought they were under an obligation to the nation in the wrong for not interfering with us? I have heard that it turned out that we had no great reason for gratitude of that kind. But I myself heard an American Senator, a soldier of the civil war, declare in this Chamber that, while he sympathized with the Boers, he did not say so because of our obligation to Great Britain for not meddling with us in the war with Spain. Nothing worse than that was said of us in the old slavery days. A great English poet before the civil war, in a poem entitled "The Curse," taunted us by saying that we did not dare to utter our sympathy with freedom so long as we were the holders of slaves. I remember, after fifty years, the sting and shame I felt in my youth when that was uttered. I had hoped that we had got rid of that forever before 1865.

Ye shall watch while kings conspire
Round the people's smouldering fire,
And, warm for your part,
Shall never dare, O, shame!
To utter the thought into flame
Which burns at your heart.

Ye shall watch while nations strive
With the bloodhounds—die or survive—
Drop faint from their jaws,
Or throttle them backward to death,
And only under your breath
Shall ye bless the cause.

Sometimes men are affected by particular instances who are not impressed by statistics of great numbers.

Sterne's starling in its cage has moved more hearts than were ever stirred by census tables.

Let me take two examples out of a thousand with which to contrast the natural result of the doctrine of your fathers with yours.

I do not think there ever was a more delightful occurrence in the history of Massachusetts since the Puritans or the Pilgrims landed there, than the visit to Harvard two years ago of the Cuban teachers to the Harvard Summer School. The old University put on her best apparel for the occasion. The guests were manly boys and fair girls, making you think of Tennyson's sweet girl graduates, who came to sit at the feet of old Harvard to learn something which they could teach to their pupils, and to carry back to their country and teach their own children undying gratitude to the great Republic. It was one of the most delightful lessons in all history of the gratitude of a people to its liberator, and of the affection of the liberator-Republic to the people it had delivered. Was there ever a more fitting subject for poetry or for art than the venerable President Eliot, surrounded with his staff of learned teachers and famous scholars, the foremost men in the Republic of letters and science, as he welcomed them, these young men and women, to the delights of learning and the blessings of liberty?

Contrast this scene with another. It is all you have to show, that you have brought back, so far, from the Philippine Islands. You have no grateful youth coming to sit at your feet. You do not dare to bring here even a friendly Filipino to tell you, with unfettered lips, what his people think of you, or what they want of you. I read the other day in a Nebraska paper a terrible story of the passage through Omaha of a carload of maniacs from the Philippine Islands.

The story, I believe, has been read in the Senate. I telegraphed to Omaha to the editor of a paper, of high reputation; I believe, a zealous supporter of the policy of Imperialism, to learn if the story was authentic. I am told in reply, and I am glad to know it, that the picture is sensational and exaggerated, but the substantial fact is confirmed that that load of young soldiers passed through that city lately, as other like cargoes have passed through before, maniacs and broken in mental health as the result of service in the Philippine Islands.

It is no answer to tell me that such horrors exist everywhere; that there are other maniacs at St. Elizabeth, and that every State asylum is full of them. Those unhappy beings have been visited, without any man's fault, by the mysterious Providence of God, or if their affliction comes from any man's fault it is our duty to make it known and to hold the party guilty responsible. It is a terrible picture that I have drawn. It is a picture of men suffering from the inevitable result which every reasonable man must have anticipated of the decisions made in this Chamber when we elected to make war for the principle of despotism instead of a policy of peace, in accordance with the principles of the Declaration of Independence.

Mr. President, every one of these maniacs, every one of the many like freights of horror that come back to us from the Philippine Islands, every dead soldier, every wounded or wrecked soldier was once an American boy, the delight of some American home, fairer and nobler in his young promise, as we like to think, than any other the round world over. Ah! Mr. Presi-

dent, it was not \$20,000,000 that we paid as the price of sovereignty. It was the souls of these boys of ours that entered into the cost. When you determined by one vote to ratify the Spanish treaty; when you determined by one vote to defeat the Bacon resolution; when you declared, in the McEnery resolution, that we would dispose of that people as might be for the interest of the United States; when the Senator from Wisconsin said we would not talk to a people who had arms in their hands, although they begged that there should be no war, and that we would at least hear them; when some of you went about the country declaring that the flag never should be hauled down where it once floated, you did not know, because in your excitement and haste your intellectual vision was dazzled with empire, you did not know that this was to come. But you might have known it. A little reflection and a little reason would have told you. I wonder if the Republican editor who made that known was attacking the American Army. I wonder if those of us who do not like that are the friends or the enemies of the American soldier.

I can not understand how any man, certainly how any intelligent student of history, could have failed to foretell exactly what has happened when we agreed to the Spanish treaty. Everything that has happened since has been the natural, inevitable, inexorable result of the policy you then declared.

If you knew anything of human nature you knew that the great doctrine that just government depends on the consent of the governed, as applied to the relation of one people to another, has its foundation in the nature of man itself. No people will submit, if it can be helped, to the rule of any other people. You must have known perfectly well, if you had stopped to consider, that so far as the Philippine people were like us they would do exactly what we did and would do again in a like case. So far as they were civilized they would resist you with all the power of civilized war. So far as they were savage they would resist you by all the methods of savage warfare.

You never could eradicate from the hearts of that people by force the love of liberty which God put there.

For He that worketh high and wise,
Nor pauseth in His plan,
Will take the sun out of the skies
Ere freedom out of man.

This war, if you call it war, has gone on for three years. It will go on in some form for three hundred years, unless this policy be abandoned. You will undoubtedly have times of peace and quiet, or pretended submission. You will buy men with titles, or office, or salaries. You will intimidate cowards. You will get pretended and fawning submission. The land will smile and smile and seem at peace. But the volcano will be there. The lava will break out again. You can never settle this thing until you settle it right.

I think my friends of the majority, whatever else they may claim—and they can rightly claim a great deal that is good and creditable for themselves—will not claim to be prophets. They used to prophesy a good deal two years ago. We had great prophets and minor prophets. All predicted peace and submission, and a flag followed by trade, with wealth flowing over this land from the Far East, and the American people standing in the Philippine Islands looking over with eager gaze toward China.

Where are now your prophets which prophesied unto you? I fear that we must make the answer that was made to the children of Israel: "They prophesied falsely, and the prophets have become wind, and the word is not in them."

An instance of this delusion, which seems to have prevailed everywhere, is stated by Mr. Andrew Carnegie in the May number of the *North American Review*. He says:

The writer had the honor of an interview with President McKinley before war broke out with our allies, and ventured to predict that if he attempted to exercise sovereignty over the Filipinos—whom he had bought at \$2.50 a head—he would be shooting these people down within thirty days. He smiled, and, addressing a gentleman who was present, said: "Mr. Carnegie doesn't understand the situation at all." Then turning to the writer, he said: "We will be welcomed as their best friends." "So little," says Mr. Carnegie, "did dear, kind, loving President McKinley expect ever to be other than the friendly cooperator with these people."

A guerrilla warfare, carried on by a weaker people against a stronger, is recognized and legitimate. Many nations have resorted to it. Our war of the Revolution in many parts of the country differed little from it. Spain carried it on against Napoleon when the French forces overran her territory, and mankind sympathized with her. The greatest of English poets since Milton, William Wordsworth, described that warfare in a noble sonnet, which will answer, with scarcely the change of a word, as a description of the Filipino people:

Hunger, and sultry heat, and nipping blast
From bleak hilltop, and length of march by night
Through heavy swamp or over snow-clad height—
These hardships ill-sustained, these dangers past,
The roving Spanish bands are reached at last,
Charged, and dispersed like foam; but as a flight
Of scattered quails by signs do reunite,
So these—and, heard of once again, are chased
With combination of long-practiced art
And newly kindled hope; but they are fled,
Gone are they, viewless as the buried dead:
Where now? Their sword is at the foeman's heart!
And thus from year to year his walk they thwart,
And hang like dreams around his guilty bed.

I believe the American Army, officers and soldiers, to be made up of as brave and humane men, in general, as ever lived. They have done what has always been done, and until human nature shall change, always will be done in all like conditions. The chief guilt is on the heads of those who created the conditions.

One thing, however, I am bound to say in all frankness. I do not know but my statement may be challenged. But I am sure that nearly every well-informed man who will hear it or read it will know that it is true. That is, that you will never get officers or soldiers in the standing Army, as a rule, to give testimony which they think will be disagreeable to their superiors or to the War Department.

I have letters in large numbers myself. I believe every Senator in this body, who is expected to do anything to inquire into these atrocities, has had abundant letters to the effect which I state. The same evil of which we are all conscious, which leads men in public life to be unwilling to incur unpopularity or the displeasure of their constituents by frankly uttering and acting upon their opinions, applies with a hundredfold more force when you summon a soldier or an officer to tell facts which will bear heavily on the administration of the war. I have had letters shown me by members of this body who vouched personally for the absolute trustworthiness of the writers, who detailed the hor-

rors of the water torture and other kindred atrocities, which no inducement would lead them to make public.

The private soldier who has ended his term of service or who expects to end it and return to private life, is under less restraint. But when he tells his story he is met by the statement of an officer, in some cases, that it is well known that private soldiers are in the habit of "drawing the long bow," to use the phrase of one general whose name has been brought into this discussion. In other words, these generals are so jealous of the honor of the Army, and their own, that they confine their jealousy to the honor of the officers, and expect you to reject these things on the assertion that the soldier is an habitual liar, and then they reproach the men who complain with being indifferent to the honor of the Army.

Was it ever heard before that a civilized, humane, and Christian nation made war upon a people and refused to tell them what they wanted of them? You refuse to tell these people this year or next year or perhaps for twenty years, whether you mean in the end to deprive them of their independence, or no. You say you want them to submit. To submit to what? To mere military force? But for what purpose or what end is that military force to be exerted? You decline to tell them. Not only you decline to say what you want of them, except bare and abject surrender, but you will not even let them tell you what they ask of you.

The Senator from Ohio [Mr. FORAKER] says it is asserted with a show of reason that a majority of the people favor our cause. General MacArthur denies this statement, and says they were almost a unit for Aguinaldo. Mr. Denby and Mr. Schurman, two of the three commissioners of the first Filipino Commission, deny the statement. General Bell, in his letter of December 13, 1901, says "a majority of the inhabitants of his province have persistently continued their opposition during the entire period of three years, and that the men who accept local office from the governor and take the oath of allegiance do it solely for the purpose of improving their opportunity for resistance." That statement is concurred in by every department commander there. Certainly Major Gardener's apparently temperate and fair statement—about which we are to have no opportunity to examine him until Congress adjourns—does not say any such thing as that suggested by the Senator from Ohio.

But what is your cause? What is your cause that they favor? Do you mean that a majority of the Filipino people favor your killing them? Certainly not. Do you mean that a majority of the Filipino people, or that any one man in the Philippine Islands, according to the evidence of Governor Taft himself, favors anything that you are willing to do?

The evidence is that some of them favor their admission as an American State and others favor a government of their own under your protection. Others would like to come in as a Territory under our Constitution. But is there any evidence that one human being there is ready to submit to your government without any rights under our Constitution, or without any prospect of coming in as an American State? Or is there any evidence that any single American citizen, in the Senate or out of it, is willing that we should do anything that a single Filipino is ready to consent to?

I have no doubt they will take the oath of allegiance. Un-

doubtedly they will go through the form of submission. Undoubtedly you have force enough to make the whole region a howling wilderness, if you think fit. Undoubtedly you can put up a form of government in which they will seem to take some share, and they will take your offices and your salaries. But when you come to getting anything which is not merely temporary; when you come to announce anything in principle, such as those on which governments are founded, you have not any evidence of any considerable number of people there ready to submit to your will unless they are compelled by sheer brutal force.

I do not wish to dwell at length on the circumstances which attended the capture of Aguinaldo. But as they have been elaborately defended in this body, and it is said that the officer who captured him had a good record before, and especially as he has been decorated by a promotion by the advice and consent of the Senate, I can not let it pass in silence.

I understand the facts to be that that officer disguised the men under his command in the dress of Filipino soldiers; wrote, or caused to be written, a forged letter to Aguinaldo, purporting to come from one of his officers, stating that he was about to bring him some prisoners he had captured, and in that way got access to Aguinaldo's headquarters. As he approached he sent a message to Aguinaldo that he and his friends were hungry; accepted food at his hands, and when in his presence threw down and seized him; shot some of the soldiers who were about Aguinaldo, and brought him back a prisoner into our lines. That is the transaction which is so highly applauded in imperialistic quarters.

I do not believe that the Senate knew what it was doing when it consented to General Funston's promotion. The nomination came in with a list of Army and Navy appointments and promotions—2,038 in all—and the Senate assented to that at the same time with 1,828 others. I doubt very much whether there were 10 Senators in their seats or whether one of them listened to the list as it was read. It is, I suppose, betraying no secret to say that these lists are almost never read to the Senate when they come in or when they are reported from the committee; that the only reading they get is at the time of the confirmation, when they commonly attract no attention whatever. I do not mean to say that if the Senate had had its attention called to the transaction the result would have been different. I only mean to say that I believe many Senators did not know it. I suppose the question whether the Senate would have approved it might have depended on the character and the quality of the general service of that officer and not on the estimate we formed of this particular transaction, which seems to have been done under orders. I did not know myself that the nomination had been made till long after the Senate had assented. But I incline to think, with General MacArthur's testimony before the investigating committee that the act was done by his direction and with his approval, I should not have thought it fair to hold the officer responsible for it by denying him an otherwise deserved promotion.

I think we are bound in justice to General Funston to take the declaration of General MacArthur that he ordered and approved everything that officer did. If that be true we have no right to hold the subordinate responsible, however odious the act. If it turn out that that still higher authority has approved the act, then it becomes still more emphatically our duty to point out its enormity.

The Senator from Ohio [Mr. FORAKER], whom I do not now see in his seat, asked me day before yesterday whether I did not believe that the reports of the military officers were to be trusted. If he were in his seat, I would ask him to put me that question again, and if he should I would put this question to him: When Theodore Roosevelt, an officer of volunteers, told his story about the canned beef and the military supplies, and every officer in the Regular Army, who knew the facts just as he did, contradicted him in the investigation, does he believe that Theodore Roosevelt or the officers of the Regular Army told the truth?

Mr. President, I want to say something on the circumstances which attended the capture of Aguinaldo. They have been elaborately defended in this body, and the officer who did it has been decorated with a promotion. I do not suppose 10 Senators knew what they were doing. The name came in with several thousand names of sailors and soldiers in one day, and nearly 2,000 were confirmed the next day. As everybody knows, they are never read except at the time of the confirmation. But although I did not know anything about it myself, I am bound to say, in all fairness, that since General MacArthur, the superior officer, has testified that he approved the act and takes the responsibility for the act, the subordinate is acquitted so far as that act is concerned; and I do not see how we could have refused General Funston his promotion if his record in other respects entitled him to it, if he acted as General MacArthur says he did, under orders. But the higher the responsibility for the act the more it is our duty to examine it.

Mr. President, we have two guides for the conduct of military officers in such circumstances. They apply not only to this act of General Funston, but they apply to most of the conduct of our military officers, of which complaint has been made. One of these is Instructions for the Government of Armies of the United States in the Field, prepared by Dr. Francis Lieber and promulgated by order of Abraham Lincoln.

The other is the convention at The Hague, agreed upon by the representatives of this Government with the others on the 29th day of July, 1899, and ratified by the Senate on the 14th of March, 1902.

Observe that this convention was agreed upon before all these acts happened, and was unanimously adopted after they had all happened.

I extract from the Instructions for the Government Regulation of Armies in the Field the following paragraphs:

Paragraph 148 is this:

The law of war does not allow proclaiming either an individual belonging to the hostile army or a citizen or a subject of the hostile government an outlaw, who may be slain without trial by any captor, any more than the modern law of peace allows such intentional outlawry. On the contrary, it abhors such outrage. The sternest retaliation should follow the murder committed in consequence of such proclamation, made by whatever authority. Civilized nations look with horror upon offers of rewards for the assassination of enemies as relapses into barbarism.

Now, Mr. President, is it denied that hundreds upon hundreds of Filipinos have been put to death without trial? Has any soldier or officer been brought to trial by our authority for these offenses? Now, if it be an outrage upon which "nations look with horror," to use the language of that paragraph, and which "the law of war * * * abhors," is it any less a crime to be abhorred when it is done without such proclamation? The proclamation does not,

according to this authority, justify the officer or soldier who acts in obedience to it. On the contrary, his conduct is abhorrent to all civilized mankind. And yet these things pass without condemnation, without punishment, without trial. Gentlemen seem to be impatient when they are asked to investigate them, or even to hear the story told in the Senate of the United States.

Paragraph 16 is:

Military necessity does not admit of cruelty—that is, the infliction of suffering for the sake of suffering or for revenge, nor of maiming or wounding except in fight, nor of torture to extort confession. It does not admit of the use of poison in any way nor of the wanton devastation of a district. It admits of deception, but disclaims acts of perfidy, and, in general, military necessity does not include any act of hostility which makes the return to peace unnecessarily difficult.

The rule says:

It admits of deception, but disclaims acts of perfidy.

That also follows the prohibition of the use of poison, with which it is associated.

Now, perfidy is defined later in paragraph 117, which declares:

It is justly considered an act of bad faith, of infamy, or fiendishness to deceive the enemy by flags of protection. * * *

Paragraph 65 is:

The use of the enemy's national standard, flag, or other emblem of nationality for the purpose of deceiving the enemy in battle is an act of perfidy. * * *

Is not the uniform an emblem of nationality? If it be an act of perfidy—the use of that emblem of nationality to deceive the enemy in battle—is it any less an act of perfidy to use it to steal upon him and deceive him when he is not in battle and is in his own quarters?

This is also prohibited by the convention of The Hague, which must have been well known to all our officers, which had been signed by the representatives of this Government, although its formal approval by the Senate took place this winter.

I suppose if it be perfidy now, according to the unanimous opinion of the Senate, and was perfidy before, according to the concurrent action of 24 great nations, the question when we formally ratified the treaty becomes unimportant.

Article 23 of the convention declares:

(f) To make improper use of a flag of truce, the national flag, or military ensigns, and the enemy's uniform—

is specially prohibited. That is classed in that article also with the use of poison and poisoned arms.

So, Mr. President, the act of General Funston—not General Funston himself, if he acted under orders of his superior—but the act of General Funston is stamped with indelible infamy by Abraham Lincoln's articles of war, to which the Secretary of War appeals, and the concurrent action of 24 great nations, and the unanimous action of the Senate this winter.

Let me repeat a little: What is an act of perfidy, as distinguished from the deception which General MacArthur thinks appropriate to all war, as defined by both these great and commanding authorities?

That is defined in paragraph 65, which declares that—

The use of the enemy's national standard, flag, or other emblem of nationality for the purpose of deceiving the enemy in battle is an act of perfidy, by which they lose all claim to the protection of the law of war.

If that be true, is it less an act of perfidy to use the uniform of the enemy—his emblem of nationality—to steal upon him when no battle is going on?

One hundred and seventeen is to like effect:

It is justly considered an act of bad faith, of infamy, or fiendishness to deceive the enemy by a flag of protection. Such act of bad faith may be good cause for refusing to respect such flag.

Such deception is of the same kind as that practiced on the unsuspecting Aguinaldo, which the rule "justly," as it declares, "considers an act of infamy or fiendishness."

Rule 60 is:

It is against the usage of modern war to resolve, in hatred and revenge, to give no quarter.

Observe this is not justified even by revenge.

No body of troops has the right to declare that it will not give, and therefore will not accept, quarter.

56. A prisoner of war is subject to no punishment for being a public enemy, nor is any revenge wreaked upon him by the intentional infliction of any suffering or disgrace, by cruel imprisonment, want of food, by mutilation, death, or any other barbarity.

So, Mr. President, in this attempt to force your sovereignty by this process of benevolent assimilation, we have been brought to the unexampled dishonor of disregarding our own rules for the conduct of armies in the field and to disregard the rules to which our national faith has just been pledged to substantially all the civilized powers of the earth.

I understand the facts to be that this officer, with the approval of his superior officer, disguised himself or some of his men in the Filipino uniform, stole upon Aguinaldo unawares under that guise, deceived him by a forged letter representing that they were hungry, received food at his hands, and then threw him down and made him captive.

Now, if that be not the perfidy twice denounced and expressly ranked with poisoning and other like barbarities I can not understand the meaning of human language or the force of human conduct.

But this act of General Funston's, approved by his superior officer, was in violation, not only of the laws of war, but of that law of hospitality which governs alike everywhere the civilized Christian or pagan wherever the light of chivalry has penetrated. He went to Aguinaldo under the pretense that he was ahungered, and Aguinaldo fed him. Was not that an act of perfidy? It violated the holy rite of hospitality which even the Oriental nations hold sacred?

In Scott's immortal romance of the Talisman, the Sultan Saladin interposes to prevent a criminal who had just committed a treacherous murder from partaking of his feast by striking off his head as he approached the banquet. "Had he murdered my father," said the Saladin to Richard Cœur de Lion, "and afterwards partaken of my bowl and cup, not a hair of his head could have been injured by me."

In this case it was not the host sparing the guest, it was not Conrad de Montserat partaking of the bowl and the cup of Saladin, but it was the guest who had partaken of the hospitality of the host who betrayed his benefactor, and in doing it represented the United States of America in the Philippines.

Mr. President, the story of what has been called the water torture has been, in part, told by other Senators. I have no inclination to repeat the story. I can not help believing that not a twentieth part of it has yet been told. I get letters in large numbers from officers, or the friends of officers, who repeat what they tell me, all testifying to these cruelties. And yet as in the case

cited by the Senator from Georgia [Mr. BACON] the other day the officer, or the officer's friends or kindred, who send the letters to me, send them under a strict injunction of secrecy. Other Senators tell me they have a like experience. These brave officers, who would go to the cannon's mouth for honor, who never flinch in battle, flinch before what they deem the certain ruin of their prospects in life if they give the evidence which they think would be distasteful to their superiors. I do not undertake to judge of this matter. Other Senators can judge as well as I can. The American people can do it better.

I suppose, Mr. President, that those of us who are of English descent like to think that the race from which we come will compare favorably with most others in the matter of humanity. Yet history is full of the terrible cruelties committed by Englishmen when men of other races refused to submit to their authority. I think my friends who seek to extenuate this water torture, or to apologize for it, may perhaps like to look at the precedent of the dealings with the Irish rebels in 1799.

In Howell's State Trials there will be found the proceedings in a suit by Mr. Wright against James Judkin Fitzgerald, a sheriff, who ordered a citizen to be flogged for the purpose of extorting information. I believe 50 lashes were administered and then 50 more by Fitzgerald, and in many other cases the same course was taken. It was wholly to extract information, as this water torture has been to get information, Fitzgerald, the sheriff, told his own story. He pointed out the necessity of his system of terror. He said he got one man he had flogged to confess that the plaintiff was a secretary of the United Irishmen, and this information he could not get from him before; that Mr. Wright himself had offered to confess, but his memory had been so impaired by the flogging that he could not command the faculty of recollection. Notwithstanding he had by the terror of his name and the severity of his flogging succeeded most astonishingly, particularly in one instance, where, by the flogging of one man, he and 36 others acknowledged themselves United Irishmen.

Now, that was abundantly proved; and the sheriff who had tortured and flogged these men who were only fighting that Ireland should not be ruled without the consent of the governed had the effrontery to ask for an act of indemnity from the House of Commons against the damages which had been recovered against him, and that claim found plenty of advocates. The ministry undertook to extenuate the action of this monster by citing the cruelties which the Irish people had inflicted in their turn, and by saying that very material discoveries were made relative to concealed arms as the result of these tortures. The defenders of the administration said the most essential service had been rendered to the State and to the country by Mr. Fitzgerald. The attorney-general trusted the House would cheerfully accede to the prayer of the petition. Mr. Wright, the man who had been tortured, was a man of excellent character and education, and a teacher of the French language. As soon as he knew there were charges against him he went to the house of the defendant to give himself up and demand a trial. I will not take the time of the Senate to read the debates. The argument for the Government would do very well for some of the arguments we have heard here, and the arguments we have heard here would have done very well there. The House passed

a general bill to indemnify all sheriffs and magistrates who had acted for the suppression of the rebellion in a way not warranted by law, and to secure them against actions at law for so doing. The sole question at stake was the right of torture to extort information. The bill passed the House, and afterwards Fitzgerald got a considerable pension, and was created a baronet of the United Kingdom.

Now, I agree that this precedent, so far as it may be held to have set an example for what has been done in the Philippine Islands, may be cited against me. I cite it only to show that such things are inevitable when you undertake by brute force to reduce to subjection an unwilling people, and that, therefore, when you enter upon that undertaking you yourselves take the responsibility for everything that follows.

Mr. President, it is said that these horrors which never would have come to the public knowledge had not the Senate ordered this investigation, were unknown to our authorities at home. I hope and believe they were unknown to the War Department. I know they were unknown to President Roosevelt, and I know they were unknown to President McKinley. But I can not think, perhaps I am skeptical, that the recent declaration of that honorable gentleman, the Secretary of War, made on a memorable occasion, that the war on our part has been conducted with unexampled humanity, will be accepted by his countrymen.

Let us not be diverted from the true issue. We are not talking of retaliation. We are not talking of the ordinary brutalities of war. We are not talking about or inquiring into acts of vengeance committed in the heat of battle. We are talking about torture, torture—cold-blooded, deliberate, calculated torture; torture to extort information. Claverhouse did it to the Scotch Covenanters with the boot and thumb-screw. It has never since till now been done by a man who spoke English except in Ireland. The Spanish inquisition did it with the slow fire and the boiling oil. It is said that the water torture was borrowed from Spain. I am quite ready to believe it. The men who make the inquiry are told that they are assailing the honor of the American Army. How do the defenders of the American Army meet the question? By denying the fact? No. By saying that the offenders have been detected and punished by military power? Some of these facts were reported to the War Department more than a year ago. So far as I can find there have been but two men tried for torture to extort information. They were two officers who hung up men by the thumbs, and they were found guilty. The general officer who approved the finding said "that they had dishonored and degraded the American Army," and then they were sent back to their command with a reprimand. I agree with the Senator from Wisconsin that the men who have stolen, and committed assaults for the gratification of brutal lusts have been punished, and punished severely.

My honorable friend from Wisconsin [Mr. SPOONER] said something about this matter the other day. That is the only case of a punishment to be found in our records so far as I have seen them. I agree with my friend from Wisconsin that the men who have stolen and committed assaults for the gratification of brutal lusts have been punished, and punished severely, but what we are talking about is torture.

Mr. SPOONER. Did I say anything about the number?

Mr. HOAR. The Senator said there were two or three hundred cases, quoting the record before him.

Mr. CARMACK. Was it not the Senator from Iowa [Mr. DOLLIVER]?

Mr. HOAR. No; it was the Senator from Wisconsin, unless my memory deceives me. I will change it if I am mistaken, but I think I am not mistaken.

We are talking about torture committed in the open day by men who were not drunk, but sober; men who had not just come out of battle, but torture for the purpose of getting information, on which, according to one of this committee, the tribunals acted.

What we are talking about is the torture committed in the presence of numerous witnesses for the purpose of extorting information, and orders from high authority to depopulate whole districts, and to slay all inhabitants, including all boys over 10 years old.

Is it denied that these things have been done? Is it denied that although you are still on the threshold of this inquiry, and have only called such witnesses as you happen to find 10,000 miles away from the scene, that these things have been proved to the satisfaction of the majority of the committee, and that no man has yet been punished, although they were going on considerably more than a year ago? Now, how do our friends who seek, I will not say to defend, but to extenuate them, deal with the honor of the American Army? Why, they come into the Senate and say that there have been other cruelties and barbarities and atrocities in war. When these American soldiers and officers are called to the bar our friends summon Nero and Torquemada and the Spanish inquisition and the sheeted and ghostly leaders of the Ku Klux Klan and put them by their side. That is the way you defend the honor of the American Army. It is the first time the American soldier was put into such company by the men who have undertaken his defense.

It has been shown, I think, in the investigation now going on that the secretary of the province of Batangas declared that one-third of the 300,000 of the population of that province have died within two years—100,000 men and women.

The Boston Journal, an eminent Republican paper and a most able supporter of the imperialistic policy, printed on the 3d of May, 1901, an interview with Gen. James M. Bell, given to the New York Times—not the General Bell who has been discussed here, but Gen. James M. Bell is his name, an officer who came back from the Philippines in May, 1901.

Mr. SPOONER. James F. Bell is the one there now.

Mr. LODGE. James Franklin Bell.

Mr. HOAR. This one is James M. Bell, unless I have the initials wrong. I have taken great pains to make inquiry. I have heard from the man to whom the interview was given, a newspaper correspondent of high character, and I have applied to the gentlemen of the Boston Journal to know if they ever heard it contradicted. He said in May, 1901, and he advocated the policy in the interview, too, that one-sixth of the natives of Luzon have either been killed or have died of the dengue fever in the last two years. Now, what is the population of Luzon? It is about 3,000,000, is it not?

Mr. ALLISON. That or thereabouts.

Mr. HOAR. Then one-sixth is 500,000.

I suppose that this dengue fever and the sickness which depopulated Batangas is the direct result of the war, and comes from the condition of starvation and bad food which the war has caused. The other provinces have not been heard from. If this be true we have caused the death of more human beings in the Philippines than we have caused to our enemies, including insurgents in the terrible civil war, in all our other wars put together. The general adds that—

the loss of life by killing alone has been very great, but I think not one man has been slain except where his death served the legitimate purposes of war. It has been necessary to adopt what in other countries would probably be thought harsh measures, for the Filipino is tricky and crafty and has to be fought in his own way.

I have made careful inquiry and I am satisfied that this interview is genuine. Now, all this is because you will not tell what you mean to do in the future, as I understand it.

Where did this order to make Samar a howling wilderness originate? The responsibility unquestionably, according to the discipline of armies in the field, rests with the highest authority from which it came.

We used to talk, some of us, about the horrors of Andersonville, and other things that were done during the civil war. We hope, all of us, never to hear them mentioned again. But is there anything in them worse than that which an officer of high rank in the Army, vouched for by a Senator on this floor, from personal knowledge, as a man of the highest honor and veracity, writes about the evils of these reconcentrado camps in the Philippine Islands? Now all this cost, all these young men gone to their graves, all these wrecked lives, all this national dishonor, the repeal of the Declaration of Independence, the overthrow of the principle on which the Monroe doctrine was placed by its author, the devastation of provinces, the shooting of captives, the torture of prisoners and of unarmed and peaceful citizens, the hanging men up by the thumbs, the carloads of maniac soldiers that you bring home are all because you would not tell and will not tell now whether you mean in the future to stand on the principles which you and your fathers always declared in the past.

The Senator from Ohio says it is not wise to declare what we will do at some future time. Mr. President, we do not ask you to declare what you will do at some future time. We ask you to declare an eternal principle good at the present time and good at all times. We ask you to reaffirm it, because the men most clamorous in support of what you are doing deny it. That principle, if you act upon it, prevents you from crushing out a weak nation, because of your fancied interest now or hereafter. It prevents you from undertaking to judge what institutions are fit for other nations on the poor plea that you are the strongest. We are asking you at least to go no further than to declare what you would not do now or hereafter, and the reason for declaring it is that half of you declare you will hold this people in subjection and the other half on this matter are dumb. You declared what you would not do at some future time when you all voted that you would not take Cuba against the will of her people, did you not? We ask you to declare not at what moment you will get out of the Philippine Islands, but only on what eternal principle you will act, in them or out of them. Such declarations are made in all history. They are made in every important treaty between nations.

The Constitution of the United States is itself but a declaration of what this country will do and what it will not do in all future times. The Declaration of Independence, if it have the practical meaning it has had for a hundred years, is a declaration of what this country would do through all future times. The Monroe Doctrine, to which sixteen republics south of us owe their life and their safety, was a declaration to mankind of what we would do in all future time. Among all the shallow pretenses of imperialism this statement that we will not say what we will do in the future is the most shallow of all. Was there ever such a flimsy pretext flaunted in the face of the American people as that of gentlemen who say, If any other nation on the face of the earth or all other nations together attempt to overthrow the independence of any people to the south of us in this hemisphere, we will fight and prevent them, and at the same time think it dishonorable to declare whether we will ever overthrow the independence of a weaker nation in another hemisphere.

If we take your view of it we have crushed out the only republic in Asia and put it under our heel and we are now at war with the only Christian people in the East. Even, as I said, the Senator from Ohio admits they are a people, he only says there are several peoples and not one, as if the doctrine that one people has no right to buy sovereignty over another, or to rule another against its will, did not apply in the plural number. You can not crush out an unwilling people, or buy sovereignty over them, or treat them as spoils of conquest, or booty of battle in the singular, or at retail, but you have a perfect right to do it by wholesale. Suppose there are several peoples in the Philippines. They have population enough to make a hundred and twelve States of the size of Rhode Island or Delaware when they adopted the Constitution.

I suppose, according to this modern doctrine, that if, when the Holy Alliance threatened to reduce the colonies which had thrown off the yoke of Spain in South America, not a wit more completely than the Philippine people had thrown off the yoke of Spain in Asia, if they had undertaken to subdue them all at once, John Quincy Adams and James Monroe would have held their peace and would at least have said it was not wise to say what we would do in the future. If we had the right to protect nascent republics from the tyranny of other people and to declare that we would do it in the future, and if need be would encounter the whole continent of Europe single-handed in that case, is it any less fitting to avow that we will protect such peoples from ourselves? How is it that these gentlemen who will not tell you what they will do in the future in regard to the Philippine Islands were so eager and greedy to tell you what they would do and what they would not do in the case of Cuba when we first declared war on Spain? You can make no distinction between these two cases except by having a motive, which I do not for one moment impute, that when you made war upon Spain you were afraid of Europe, if you did not make the declaration.

These people are given to us as children, to lead them out of their childhood into manhood. They were docile and affectionate in the beginning. But they needed your kindness and justice, and a respect in them for the rights we claimed for ourselves, and the rights we had declared always were inherent in all mankind. You preferred force to kindness, and power to justice, and war to peace, and pride to generosity.

You said you would not treat with a man with arms in his hands. You have come, instead, to torture him when he was unarmed and defenseless. Yet you said you would make his conduct the measure of your own; that if he lied to you, you would lie to him; that if he were cruel to you, you would be cruel to him; that if he were a savage, you would be a savage also. You held an attitude toward him which you hold to no strong or to no civilized power. You decorate an officer for the capture of Aguinaldo by treachery, and the next week ratify The Hague convention and denounce such action, and classify it with poisoning and breaking of faith.

You tell us, Mr. President, that the Philippine people have practiced some cruelties themselves. The investigation has not yet gone far enough to enable you to tell which side began these atrocities. One case which one of the members of the majority of the committee told the Senate the other day was well established by proving that it occurred long before April, 1901, and was so published, far and wide, in the press of this country at that time. I do not learn that there was any attempt to investigate it, either by the War Department or by Congress, until the beginning of the present session of Congress. But suppose they did begin it. Such things are quite likely to occur when weakness is fighting for its rights against strength. Is their conduct any excuse for ours? The Philippine people is but a baby in the hands of our Republic. The young athlete, the giant, the Hercules, the Titan, forces a fight upon a boy 10 years old and then blames the little fellow because he hits below the belt.

I see that my enthusiastic friend from North Carolina seeks to break the force of these revelations by saying that they are only what some Americans are wont to do at home. It is benevolent assimilation over again. It is just what the junior Senator from Indiana predicted. He thought we should conduct affairs in the Philippine Islands so admirably that we should pattern our domestic administration on that model. But did I understand that the Senator from North Carolina proposes, if his charge against the Democrats there is true, to make North Carolina a howling wilderness, or to burn populous towns of 10,000 people, to get the people of North Carolina into reconcentration camps, and to slay every male child over 10 years old? I know nothing about the truth of the Senator's charges. They have never been investigated by the Senate so far. We had some painful investigations years ago by committees in this body and of the other House, notably one of which the senior Senator from Colorado was chairman. But I never heard that you undertook to apply to Americans the methods which, if not justified, at least are sought to be extenuated, in the Philippine Islands.

Mr. President, if the stories which come to me in private from officers of the Army and from the kindred and friends of soldiers are to be trusted; if the evidence which seems to be just beginning before the Senate Committee can be trusted, there is nothing in the conduct of Spain in Cuba worse than the conduct of Americans in the Philippine Islands. If this evidence be true, and nobody is as yet ready to deny it, and Spain were strong enough, she would have the right to-morrow to wrest the Philippine Islands from our grasp on grounds as good, if not better, than those which justified us when we made war upon her. The United States is a strong and powerful country—the strongest and most powerful on earth, as we love to think. But it is the

first time in the history of this people for nearly three hundred years when we had to appeal to strength and not to the righteousness of our cause to maintain our position in a great debate of justice and liberty.

Gentlemen tell us that the Filipinos are savages, that they have inflicted torture, that they have dishonored our dead and outraged the living. That very likely may be true. Spain said the same thing of the Cubans. We have made the same charges against our own countrymen in the disturbed days after the war. The reports of committees and the evidence in the documents in our library are full of them. But who ever heard before of an American gentleman, or an American, who took as a rule for his own conduct the conduct of his antagonist, or who claimed that the Republic should act as savages because she had savages to deal with? I had supposed, Mr. President, that the question, whether a gentleman shall lie or murder or torture, depended on his sense of his own character, and not on his opinion of his victim. Of all the miserable sophistical shifts which have attended this wretched business from the beginning, there is none more miserable than this.

You knew—men are held to know what they ought to know in morals and in the conduct of States—and you knew that this people would resist you; you knew you were to have a war; you knew that if they were civilized, so far as they were civilized and like you, the war would be conducted after the fashion of civilized warfare, and that so far as they were savage the war would be conducted on their part after the fashion of savage warfare; and you knew also that if they resisted and held out, their soldiers would be tempted to do what they have done, and would yield to that temptation.

And I tell you, Mr. President, that if you do not disregard the lessons of human nature thus far, and do not retrace your steps and set an example of another conduct, you will have and those who follow you will have a like experience hereafter. You may pacify this country on the surface; you may make it a solitude, and call it peace; you may burn towns; you may exterminate populations; you may kill the children or the boys over 10, as Herod slew the firstborn of the Israelites. But the volcano will be there. You will not settle this thing in a generation or in a century or in ten centuries, until it is settled right. It never will be settled right until you look for your counselors to George Washington and Thomas Jefferson and John Quincy Adams and Abraham Lincoln, and not to the reports of the War Department.

There is much more I should like to say, but I have spoken too long already. I have listened to what many gentlemen have said—gentlemen whom I love and honor—with profound sorrow. They do over again in the Senate what Burke complained of to the House of Commons.

In order to prove that the Americans have no right to their liberties we are every day endeavoring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free we are obliged to depreciate the value of freedom itself; and we never seem to gain a paltry advantage over them in debate without attacking some of those principles or deriding some of those feelings for which our ancestors have shed their blood.

I wish to cite another weighty maxim from Burke:

America, gentlemen say, is a noble object—it is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by

their complexions and their habits. Those who understand the military art will of course have some predilection for it. Those who wield the thunder of the state may have more confidence in the efficacy of arms. But I confess, possibly for the want of this knowledge, my opinion is much more in favor of prudent management than of force—considering force not as an odious, but a feeble instrument, for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable connection with us.

There is nothing—

Says Gibbon, the historian of the Decline and Fall of the Roman Empire—

more adverse to nature and reason than to hold in obedience remote countries and foreign nations in opposition to their inclination and interest. A torrent of barbarians may pass over the earth, but an extensive empire must be supported by a refined system of policy and oppression; in the center, an absolute power, prompt in action and rich in resources; a swift and easy communication with the extreme parts; fortifications to check the first effort of rebellion; a regular administration to protect and punish; and a well-disciplined army to inspire fear, without provoking discontent and despair.

Lord Elgin, Governor-General of India and formerly Governor-General of Canada, well known and highly esteemed in the United States, declared as the result of his experience in the East: "It is a terrible business, however—this living among inferior races. I have seldom from man or woman since I came to the East heard a sentence which was reconcilable with the hypothesis that Christianity had ever come into the world. Detestation, contempt, ferocity, vengeance, whether Chinamen or Indians be the object. One moves among them with perfect indifference, treating them not as dogs, because in that case one would whistle to them and pat them, but as machines with which one can have no communion or sympathy. When the passions of fear and hatred are ingrafted on this indifference, the result is frightful—an absolute callousness as to the sufferings of the objects of those passions, which must be witnessed to be understood and believed."

The glowing narrative of Macaulay, the eloquence of Burke and Sheridan have made the crimes committed in India under the rule of Warren Hastings familiar to mankind. Yet I believe the verdict of history has acquitted Hastings, as the tribunal that tried him acquitted him. He was dismissed, exculpated, from the bar of the House of Lords, and decorated. He was sworn of the Privy Council and received at court. A large purse was made up for him by the East India Company. Yet no man doubts the truth of Burke's terrible indictment. He was acquitted because England, and not he, was the criminal. When England undertook to assert her rule in India what followed was the inevitable consequence of the decision.

Lord Erskine, the foremost advocate who ever spoke the English tongue on English soil, placed with unerring sagacity the defense of Hastings on this ground alone. He admitted that Hastings, in ruling India, "may, and must, have offended against the laws of God and nature." "If he was the faithful viceroy of an empire wrested in blood from the people to whom God and nature had given it, he may and must have preserved that unjust dominion over timorous and abject nations by a terrifying superiority." "A government having no root in consent or affection, no foundation in similarity of interests, nor support from any one principle which cements men in society together could only be upheld by alternate stratagem and force." Erskine adds: "To be governed at all, they must be governed with a rod of iron; and our empire in the East would long since have been lost to Great

Britain if civil skill and military prowess had not united their efforts to support an authority which Heaven never gave—by means which it never can sanction.”

Mr. President, this is the eternal law of human nature. You may struggle against it, you may try to escape it, you may persuade yourself that your intentions are benevolent, that your yoke will be easy and your burden will be light, but it will assert itself again and again. Government without the consent of the governed—an authority which Heaven never gave—can only be supported by means which Heaven never can sanction.

The American people have got this one question to answer. They may answer it now; they can take ten years, or twenty years, or a generation, or a century to think of it. But it will not down. They must answer it in the end—Can you lawfully buy with money, or get by brute force of arms, the right to hold in subjugation an unwilling people, and to impose on them such constitution as you, and not they, think best for them?

We have answered this question a good many times in the past. The fathers answered it in 1776, and founded the Republic upon their answer, which has been the corner stone. John Quincy Adams and James Monroe answered it again in the Monroe doctrine, which John Quincy Adams declared was only the doctrine of the consent of the governed. The Republican party answered it when it took possession of the forces of Government at the beginning of the most brilliant period in all legislative history. Abraham Lincoln answered it when, on that fatal journey to Washington in 1861, he announced that the doctrine of the consent of the governed was the cardinal doctrine of his political creed, and declared, with prophetic vision, that he was ready to be assassinated for it if need be. You answered it again yourselves when you said that Cuba, who had no more title than the people of the Philippine Islands had to their independence, of right ought to be free and independent.

The question will be answered again hereafter. It will be answered soberly and deliberately and quietly as the American people are wont to answer great questions of duty. It will be answered, not in any turbulent assembly, amid shouting and clapping of hands and stamping of feet, where men do their thinking with their heels and not with their brains. It will be answered in the churches and in the schools and in the colleges; and it will be answered in fifteen million American homes, and it will be answered as it has always been answered. It will be answered right.

A famous orator once imagined the nations of the world uniting to erect a column to Jurisprudence in some stately capital. Each country was to bring the name of its great jurist to be inscribed on the side of the column, with a sentence stating what he and his country through him had done toward establishing the reign of law in justice for the benefit of mankind.

Rome said, “Here is Numa, who received the science of law from the nymph Egeria in the cavern and taught its message to his countrymen. Here is Justinian, who first reduced law to a code, made its precepts plain, so that all mankind could read it, and laid down the rules which should govern the dealing of man with man in every transaction of life.”

France said, “Here is D’Aguesseau, the great chancellor, to whose judgment seat pilgrims from afar were wont to repair to do him reverence.”

England said, "Here is Erskine, who made it safe for men to print the truth, no matter what tyrant might dislike to read it."

Virginia said, "Here is Marshall, who breathed the vital principle into the Constitution, infused into it, instead of the letter that killeth, the spirit that maketh alive, and enabled it to keep State and nation each in its appointed bounds, as the stars abide in their courses."

I have sometimes fancied that we might erect here in the capital of the country a column to American Liberty which alone might rival in height the beautiful and simple shaft which we have erected to the fame of the Father of the Country. I can fancy each generation bringing its inscription, which should recite its own contribution to the great structure of which the column should be but the symbol.

The generation of the Puritan and the Pilgrim and the Huguenot claims the place of honor at the base. "I brought the torch of Freedom across the sea. I cleared the forest. I subdued the savage and the wild beast. I laid in Christian liberty and law the foundations of empire."

The next generation says: "What my fathers founded I builded. I left the seashore to penetrate the wilderness. I planted schools and colleges and courts and churches."

Then comes the generation of the great colonial day. "I stood by the side of England on many a hard-fought field. I helped humble the power of France. I saw the lilies go down before the lion at Louisburg and Quebec. I carried the cross of St. George in triumph in Martinique and the Havana. I knew the stormy pathways of the ocean. I followed the whale from the Arctic to the Antarctic seas, among tumbling mountains of ice and under equinoctial heat, as the great English orator said, 'No sea not vexed by my fisheries; no climate not witness to my toils.'"

Then comes the generation of the Revolutionary time. "I encountered the power of England. I declared and won the Independence of my country. I placed that declaration on the eternal principles of justice and righteousness which all mankind have read, and on which all mankind will one day stand. I affirmed the dignity of human nature and the right of the people to govern themselves. I devised the securities against popular haste and delusion which made that right secure. I created the Supreme Court and the Senate. For the first time in history I made the right of the people to govern themselves safe, and established institutions for that end which will endure forever."

The next generation says, "I encountered England again. I indicated the right of an American ship to sail the seas the wide world over without molestation. I made the American sailor as safe at the ends of the earth as my fathers had made the American farmer safe in his home. I proclaimed the Monroe doctrine in the face of the Holy Alliance, under which 16 Republics have joined the family of nations. I filled the Western Hemisphere with Republics from the Lakes to Cape Horn, each controlling its own destiny in safety and in honor."

Then comes the next generation: "I did the mighty deeds which in your younger years you saw and which your fathers told. I saved the Union. I put down the rebellion. I freed the slave. I made of every slave a freeman, and of every freeman a citizen, and of every citizen a voter."

Then comes another who did the great work in peace, in which

so many of you had an honorable share: "I kept the faith. I paid the debt. I brought in conciliation and peace instead of war. I secured in the practice of nations the great Doctrine of Expatriation. I devised the Homestead system. I covered the prairie and the plain with happy homes and with mighty States. I crossed the continent and joined together the seas with my great railroads. I declared the manufacturing independence of America, as my fathers affirmed its political independence. I built up our vast domestic commerce. I made my country the richest, freest, strongest, happiest people on the face of the earth."

And now what have we to say? What have we to say? Are we to have a place in that honorable company? Must we engrave on that column, "We repealed the Declaration of Independence. We changed the Monroe doctrine from a doctrine of eternal righteousness and justice, resting on the consent of the governed, to a doctrine of brutal selfishness, looking only to our own advantage. We crushed the only republic in Asia. We made war on the only Christian people in the East. We converted a war of glory to a war of shame. We vulgarized the American flag. We introduced perfidy into the practice of war. We inflicted torture on unarmed men to extort confession. We put children to death. We established reconcentrado camps. We devastated provinces. We baffled the aspirations of a people for liberty."

No, Mr. President. Never! Never! Other and better counsels will yet prevail. The hours are long in the life of a great people. The irrevocable step is not yet taken.

Let us at least have this to say: We too have kept the faith of the Fathers. We took Cuba by the hand. We delivered her from her age-long bondage. We welcomed her to the family of nations. We set mankind an example never beheld before of moderation in victory. We led hesitating and halting Europe to the deliverance of their beleaguered ambassadors in China. We marched through a hostile country—a country cruel and barbarous—without anger or revenge. We returned benefit for injury, and pity for cruelty. We made the name of America beloved in the East as in the West. We kept faith with the Philippine people. We kept faith with our own history. We kept our national honor unsullied. The flag which we received without a rent we handed down without a stain. [Applause on the floor and in the galleries.]